

Remarks

The Office Action dated August 6, 2009 has been carefully considered. Applicants have amended claims 12, 15, 16, and 18. Applicants have cancelled claims 19 and 25-28. New claims 29 and 30 have been added without the addition of new matter. Applicants respectfully request the examiner withdraw the rejections in light of the below arguments.

Claim Rejections – 35 USC § 112 and 35 USC § 101

In Paragraphs 1-3 of the Office Action, claims 19 and 25-28 are rejected under 35 U.S.C. 112 and 35 U.S.C. 101 because the claimed recitation of a use, without setting forth any steps involved in the process results in an indefinite claim under 35 U.S.C. 112, and results in an improper definition of a process, i.e., results in a claim which is not a proper process claim under 35 U.S.C. 101. Claims 19 and 25-28 have been cancelled without prejudice to the subject matter found therein. In light of the cancellation, Applicants submit the rejections under 35 U.S.C. 112 and 35 U.S.C. 101 are now moot. Applicants respectfully request the examiner withdraw the rejections to claims 19 and 25-28.

Claim Rejections – 35 USC § 102

In Paragraph 5 of the Office Action, claims 12-18 and 20-24 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Hatsuda (US Pat. No. 5,140,076). As set forth in the current claims, the present invention is directed to an absorbent polymer structure having an inner portion and outer portion wherein the outer portion is surface crosslinked with a chemical cross-linker and an inorganic compound in a dispersed colloidal form wherein the inorganic compound is at least partly immobilized in the

polymer of the outer portion and the absorbent polymer structure has properties set forth in the claims. As will be set forth below, Hatsuda fails to disclose each and every element of the present invention as set forth in the current claims.

Hatsuda discloses a method of treating the surface of an absorbent resin comprising mixing an absorbent resin powder with a cross-linking agent, water, and a hydrophilic organic solvent. Abstract. Hatsuda discloses mixing the absorbent resin and cross-linking agent in conjunction with a water-insoluble fine powder. Col. 8, ll.7-13. The powder includes organic powders and inorganic powders. Col. 8, ll. 14-25. Hatsuda does not teach, suggest or disclose the water-insoluble fine powder being in a dispersed colloidal form as recited in the present invention. See Claims 12 and 20. Therefore, Hatsuda does not teach, suggest or disclose all of the elements of the present invention. In light of the above reasons, Applicants respectfully request the examiner withdraw the rejection to claim 12-18 and 20-24.

Conclusion

In view of the amendments and remarks presented herein, Applicants submit that the present application is in condition for allowance, and such action is respectfully requested. If, however, any issues remain unresolved, the Examiner is invited to telephone Applicants' counsel at the number provided below.

Respectfully submitted,

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